

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE HIGH-TECH EMPLOYEE  
ANTITRUST LITIGATION

Master Docket No. 11-CV-02509-LHK

THIS DOCUMENT RELATES TO:  
  
ALL ACTIONS

CASE MANAGEMENT ORDER

Plaintiffs' Attorneys: Kelly M. Dermody, Brendan P. Glackin, Dean M. Harvey, Lisa Cisneros; Joseph R. Saveri, James G.B. Dallal

Defendants' Attorneys: Robert A. Mittelstaedt and Catherine T. Zeng for Adobe Systems, Inc. and Intuit, Inc.; George Riley and Christina Brown for Apple Inc.; Lee H. Rubin for Google Inc.; Frank Hinman for Intel Corp.; Daniel E. Purcell for Lucasfilm Ltd.; Emily J. Henn and John Nields for Pixar.

A case management conference was held on May 15, 2013. A further case management conference is set for August 8, 2013, at 2:00 p.m.

By May 22, 2013, the parties shall file a mediation status report with the name of the mediator and the date of the scheduled mediation.

By July 22, 2013, at 10:00 a.m., the parties shall file a joint status report regarding the outcome of the parties' mediation. The deadline to complete mediation remains July 19, 2013.

At the August 8, 2013 hearing on Plaintiff's Motion for Class Certification, the parties' experts shall be present and available to answer any of the Court's questions, if necessary.

At the case management conference, the Court set the following page limitations for the parties' dispositive motions, *Daubert* Motions, and Motions *in Limine*:

- DISPOSITIVE MOTIONS

- Defendants shall file a joint motion for summary judgment addressing common issues not to exceed a total of 15 pages. Plaintiffs shall file an opposition to the joint motion not to exceed a total of 15 pages. Defendants shall file a joint reply not to exceed a total of 10 pages.

- Defendants shall file a motion for summary judgment addressing issues specific to individual Defendants not to exceed a total of 42 pages. Plaintiffs shall file an opposition not to exceed a total of 42 pages. Defendants shall file a reply not to exceed a total of 32 pages.
- Plaintiffs shall file one joint motion for summary judgment not to exceed 14 pages. Defendants shall file one joint opposition not to exceed 14 pages. Plaintiffs shall file one reply not to exceed 10 pages.

- **DAUBERT MOTIONS**

- The parties' *Daubert* motions shall be limited to a total of 25 pages per side, with oppositions not to exceed a total of 25 pages per side, and replies not to exceed a total of 15 pages per side.

- **MOTIONS *IN LIMINE***

- Defendants combined shall file motions in limine not to exceed a total of 40 pages. Plaintiffs shall file oppositions not to exceed a total of 40 pages. Defendants combined shall file replies not to exceed a total of 30 pages.
- Plaintiffs shall file motions in limine not to exceed a total of 25 pages. Defendants combined shall file oppositions not to exceed a total of 25 pages. Plaintiffs shall replies not to exceed a total of 15 pages.

The case schedule was amended as follows:

**CLASS CERTIFICATION**

Plaintiffs' Supplemental Class Certification Brief: May 10, 2013

Defendants' Opposition Brief: June 21, 2013

Plaintiffs' Reply Brief: July 12, 2013

Hearing on Class Certification: Thursday, August 8, 2013, at 1:30 p.m.

If the parties intend to move to strike any of the expert testimony or other evidence offered in connection with class certification, the parties must make such motion within the page limits allotted for the class certification briefing.

**INITIAL EXPERT REPORTS:** October 28, 2013

**REBUTTAL EXPERT REPORTS:** November 25, 2013

**REPLY EXPERT REPORTS:** December 11, 2013

**EXPERT DISCOVERY CUTOFF:** December 23, 2013

**DISPOSITIVE MOTIONS** and **DAUBERT MOTIONS** shall be filed no later than January 9, 2014. The parties' oppositions are due February 6, 2014. The parties' replies are due February 27, 2014. The hearings on the parties' dispositive motions and *Daubert* motions shall be set for March 20, 2014, at 1:30 p.m., and March 27, 2014, at 1:30 p.m. By March 6, 2014, the parties shall file a joint statement regarding the distribution of summary judgment and *Daubert* motions for the March 20 and March 27 hearing dates.

**PRETRIAL CONFERENCE DATE** is May 8, 2014, at 1:30 p.m. By April 7, 2014, the parties shall exchange their witness and exhibit lists. By April 10, 2014, the parties shall file their respective Motions *in Limine*. By April 17, 2014, the parties shall file their respective oppositions to the Motions *in Limine*. By April 24, 2014, the parties shall file their respective replies to the Motions *in Limine*.

JURY TRIAL DATE is May 27, 2014, at 9:00 a.m. The trial length is estimated to be 17 days.

**IT IS SO ORDERED.**

Dated: May 15, 2013



LUCY H. KOH  
United States District Judge